

REMARKS

Applicants submit the foregoing amendments and the following remarks in view of the Office Action dated September 25, 2009 Office Action ("Office Action"). Claims 1, 27, and 48 have been amended. Claims 18-20, 65-67, 78-79, 82, and 84 have been canceled. Thus, claims 1-17, 21-64, 68-77, 80, 81, and 83 are pending. For at least the reasons presented below, Applicants submit that Claims 1-17, 21-64, 68-77, 80, 81, and 83 are allowable over the Office Action's rejections. Applicants therefore request reconsideration and favorable action in this case.

Section 103 Rejections

Claims 1-37, 48-75 and 80-84 have been rejected under 35 U.S.C. 103(b) as being unpatentable over Brunetti et al. (U.S. Patent No. 6,507,278) ("*Brunetti*") in view of Beneke et al. (U.S. Patent No. 6,597,760) ("*Beneke*") and Bruun et al. (U.S. Patent No. 6,471,039) ("*Bruun*"). Applicants respectfully traverse the rejections and all assertions and holdings therein because it has not been shown that *Brunetti*, *Bruun*, and *Beneke* whether individually or in combination, teach, suggest, or disclose each and every element of the present amended claims.

Amended independent claim 1 is allowable over the *Brunetti-Bruun-Beneke* combination at least because the proposed combination fails to disclose a tray slide and a baggage scanner forming a substantially continuous path, the tray slide external to the baggage scanner and operable to deliver a tray from a sterile area to a screening subject in the non-sterile area as recited in amended claim 1. The Office Action cites the conveyor belt in *Beneke* that is adjacent to the conveyor of a baggage scanner as a "tray slide" and asserts that the bi-directional capability of conveyor belts as disclosed in *Bruun* allows a tray to be delivered from a sterile area to a non-sterile area. Office Action page 3, 4. Even if it is assumed that the conveyor belt adjacent to the conveyor of the baggage scanner is a "tray slide" as asserted in the Office Action, the conveyor belt is not operable to deliver a tray from a sterile area to a non-sterile area. As depicted in Figure 1 of *Beneke*, the conveyor belt (element 2) that is considered a "tray slide" in

the Office Action is adjacent to an identical conveyor belt (element 2) on each end. *See Beneke* at Figure 1. Thus, at best, even when operated bi-directionally, the “tray slide” in *Beneke* is operable to transport an object within a non-sterile area but not to deliver an object from a sterile area to a non-sterile area. *See id.* Figure 1 (elements 2). Indeed, each of the adjacent conveyor belts (element 2) in *Beneke* is located in the non-sterile area. *See id.* In other words, whether the conveyor belts in *Beneke* are operated in a forward or reverse direction, any object on the conveyor belts remains within the non-sterile area. Accordingly, the “tray slide” in *Beneke* is only capable of delivering an object to other conveyor belts that are within a non-sterile area, and *Beneke* fails to disclose a tray slide and a baggage scanner forming a substantially continuous path, the tray slide external to the baggage scanner and operable to deliver a tray from a sterile area to a screening subject in the non-sterile area as recited in amended claim 1. *Brunetti* and *Bruun* fail to overcome the deficiencies of *Beneke* because *Brunetti* and *Bruun* also fail to disclose a tray slide and a baggage scanner forming a substantially continuous path, the tray slide external to the baggage scanner and operable to deliver a tray from a sterile area to a screening subject in the non-sterile area as recited in claim 1.

Further, independent claim 27 is also allowable over the *Brunetti-Bruun-Beneke* combination at least because the proposed combination fails to disclose a tray slide that includes a plurality of rollers forming a support surface operable to transport an article from a sterile area to a non-sterile area, and a baggage scanner that is separate but disposed immediately adjacent to the tray slide and that includes a conveyor that is operable to convey items from the non-sterile area through the screening device to the sterile area as recited in claim 27. The Office Action cites the conveyor having a roller bed in *Bruun* as forming a support surface for conveying objects. Office Action page 8. The mere use of a roller bed in a conveyor, however, does not form a tray slide that includes a plurality of rollers forming a support surface operable to transport an article from a sterile area to a non-sterile area as recited in claim 27. Moreover, as recited in the present claims, the tray slide is separate from the baggage scanner that includes its own conveyor. Thus, even if the baggage scanners in *Brunetti* and *Beneke* include conveyors that operate bi-directionally as asserted in the Office Action, *Brunetti*, *Bruun*, and *Beneke* fail to disclose a tray slide that includes a plurality of rollers forming a support surface operable to transport an article from a sterile area to a non-sterile area and a separate baggage scanner that is

disposed immediately adjacent to the tray slide and that includes a conveyor operable to convey items from the non-sterile area through the screening device to the sterile area as recited in claim 27.

Finally, independent claim 48 is also allowable over the *Brunetti-Bruun-Beneke* combination at least because the proposed combination fails to disclose a tray slide that is operable to deliver a tray from the sterile area to a screening subject in the non-sterile area of the screening queue without having the tray pass through a screening device as recited in amended claim 48. The Office Action asserts that conveyor systems have forward and reverse directional capabilities as taught by *Bruun* to allow luggage “to be re-scanned without the need to physically move the luggage back to the beginning of the belt,” and that the bi-directional conveyor system is a “tray slide” as recited in the present claims. Office Action page 4. Applicants respectfully submit, however, that claim 48 recites a tray slide that is operable to deliver a tray from a sterile area to a non-sterile area **without having the tray pass through a screening device**. In other words, even if it is assumed that conveyors have bi-directional capability that allow luggage to be re-scanned at a baggage scanner, those conveyors are not a tray slide as recited in the present claims because the conveyors are not operable to deliver a tray from a sterile area to a non-sterile area without having the tray pass through a screening device as recited in claim 48.

Based on at least the foregoing, Applicants respectfully request reconsideration and allowance of claims 1, 27, and 48 and all claims depending therefrom. Independent claims 27 and 48 include certain aspects analogous to claim 1. For similar reasons as above, Applicants respectfully request reconsideration and allowance of claims 27, 48, and all claims depending therefrom.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Applicants believe that no fees are due. However, if this is incorrect, please charge such fees or credit any overpayments to deposit account 06-1050.

Respectfully submitted,

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